

UNITED STATES DISTRICT COURT

for the

Central District of California

United States of America

v.

ERIK ARMANDO RAMOS

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Case No.

FILED
CLERK, U.S. DISTRICT COURT
11/10/2022
CENTRAL DISTRICT OF CALIFORNIA
BY: <u>ib</u> DEPUTY

LODGED
CLERK, U.S. DISTRICT COURT
11/10/2022
CENTRAL DISTRICT OF CALIFORNIA
BY: <u>jb</u> DEPUTY

2:22-mj-04477-DUTY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 20, 2021 in the county of Los Angeles in the
Central District of California, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. §842(a)(3)(A)

On or about June 20, 2021, in Los Angeles County, within the Central District of California and elsewhere defendant ERIK ARMANDO RAMOS transported, shipped, and caused to be transported, in interstate commerce, explosive materials, without a license issued under Chapter 40 of Title 18 of the United States Code.

This criminal complaint is based on these facts:

Please see attached affidavit

 Continued on the attached sheet.

/ S /

Complainant's signature

Sam K. Chung, Special Agent ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/10/2022*Judge's signature*City and state: Los Angeles, California

Hon Alexander F. MacKinnon U.S. Magistrate Judge

Printed name and title

A F F I D A V I T

I, Sam K. Chung, being duly sworn, hereby depose and say:

I. BACKGROUND

1. I am a Special Agent ("SA") with the United States Justice Department, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and have been so employed since August of 2001. I attended the Criminal Investigator Training Program at FLETC where I completed courses in criminal law and search and seizure. I also completed the ATF's New Professional Training Program at the Federal Law Enforcement Training Center, where I was trained in the federal firearms, explosives, arson, tobacco, and alcohol laws. I have been involved in the preparation and execution of numerous arrest and search warrants for violations of federal and state firearms, arson, 1.4 hazard class fireworks, and 1.3 aerial display fireworks, also known as pyrotechnic explosives, homemade improvised explosives, and explosives laws. In the course of my duties as an ATF SA, I have conducted and participated in over a hundred ATF investigations involving individuals and groups violating firearms, narcotics, arson, federally regulated fireworks and homemade improvised explosives, and explosives laws.

SUMMARY OF INVESTIGATION

2. This affidavit is made in support of a complaint and arrest warrant for ERIK ARMANDO RAMOS ("RAMOS") for a violation

of Title 18, United States Code, Section 842 (a) (3) (A) : knowingly transported, shipped and caused to be transported, in interstate commerce, explosives materials, without a license issued under Chapter 40 of Title 18 of the United States Code, namely, 1.3 aerial display pyrotechnic explosives and homemade explosives.

3. I am the case agent assigned to investigate the transport of federally regulated fireworks and explosives by RAMOS from Nevada and elsewhere into the state of California without a license. As will be explained further below, on or about June 10, 2021 and June 20, 2021, RAMOS coordinated several trips with another individual and purchased 1.4 hazard class commercial fireworks, 1.3 aerial display pyrotechnic explosives at Area 51 and Blackjack Fireworks, and homemade fireworks from Nevada and elsewhere for transport and delivery to California. They also visited other fireworks dealers and transported the fireworks from Pahrump, Nevada to Los Angeles, California, in a rental vehicle and offloaded the fireworks at a private residence located on 27th Street in South East Los Angeles, California, within the Central District of California. The coordination included telephone calls, travel directions, rendezvous locations, truck rental and the purchase of fireworks and explosives in Nevada and the transportation of fireworks and explosives from Nevada to a residence in Los Angeles,

California.

During the course of this investigation, I have reviewed the methods of payments used at fireworks wholesalers in Nevada and elsewhere, including financial records which indicated that RAMOS had purchased fireworks on multiple occasions at fireworks wholesalers outside of the state of California. I also learned that RAMOS had paid for and utilized rental vehicles from U-Haul, including but not limited to large trucks that were selected because they were capable of transporting large quantities of goods. I also reviewed ATF law enforcement database search results and learned that RAMOS does not possess a Federal Explosives License to transport explosives.

FEDERAL REGULATION OF FIREWORKS

5. Title 18, United States Code, Section 842(a)(3)(A) makes it unlawful to "transport, ship, cause to be transported, or receive any explosive materials."

6. Explosives are regulated by ATF and a person engaged in the transport of explosive materials must hold an explosives license issued by ATF. As explained further below, RAMOS did not possess an ATF explosives license or permit of any kind that would authorize him to transport either aerial display pyrotechnic explosives or homemade fireworks¹ made with explosive

¹On or about June 30, 2021, Certified Explosives Specialist Alan Hughes collected samples from the homemade fireworks. Only July

materials, including but not limited to flash powder, from Pahrump, Nevada to Los Angeles, California on June 21, 2021.

7. Fireworks and explosives are dangerous and regulated by federal laws enforced by ATF and assigned a hazard classification by the United States Department of Transportation ("DOT"). The fireworks that were transported by RAMOS on June 21, 2021, included but are not limited to, homemade fireworks and aerial display fireworks, also known as pyrotechnic explosives (1.3 hazard class), are classified as explosive materials by ATF. An aerial display firework is regulated by ATF because of the amount of explosive materials that it contains and has a hazard class identification under DOT regulations that requires carton labeling for safe handling and transportation.

RAMOS also transported 1.4 hazard class fireworks, which similarly require federal certification for safe handling in transportation, in accordance with DOT regulations.² RAMOS did

7, 2021, those samples were received by the ATF laboratory and tested. On November 2, 2021, the ATF laboratory report was prepared and indicated that the homemade explosives sampled did in fact contain explosive material, namely flash powder. On November 3, 2022, I personally reviewed that laboratory report.

²Based on my conversations with DOT-OIG Special Agent Brendan Culley on September 9, 2022, I learned the following: For Division 1.4G fireworks 1,001 lbs., or more, gross weight, on a vehicle:

1. Driver must have a California driver's license that includes a hazmat endorsement (see 49 CFR 177.804 and 49 CFR Part 383). RAMOS did not possess a hazardous materials endorsement to transport 1.4G hazard class fireworks.
2. Vehicles must be placarded on each side, and each end, with

not comply with any of those requirements when transporting fireworks from Nevada to California on June 21, 2021.

8. Pursuant to 18 U.S.C. § 841(c), explosive material is defined as explosives, blasting agents, and detonators. Explosives are defined as any chemical compound mixture, or device, the primary or common purpose of which is to function by explosion; the term includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord and lighters.

CHS-1³

9. On July 20, 2021, CHS-1 participated in a voluntary interview and indicated that he had made several trips from Pahrump, Nevada to Los Angeles to purchase fireworks and

"EXPLOSIVES 1.4" placards (see 49 CFR Part 172, Subpart F). RAMOS did not placard the U-Haul rental vehicles transporting fireworks and explosives from Nevada and other states outside of California into Los Angeles, California. 3. Shippers/carriers must both develop/implement security plans including assessments of possible transport risks to fireworks, and measures to address risks. At a minimum, security plans must address personnel security, en route security, and unauthorized access (see 49 CFR Part 172, Subpart I). RAMOS did not carry a security plan of any kind.

4. Transporters/carriers must hold a current hazmat registration certificate issued by PHMSA (see 49 CFR Part 107, Subpart G). On or about September 9, 2022, Special Agent Brendan Culley ran a database check and told me that RAMOS did not possess a hazmat registration certificate issued by PHMSA.

³CHS-1 is a convicted felon.

transported the fireworks back to his residence in Los Angeles, California. CHS-1 indicated that the fireworks transactions and purchases, sometimes included payments by both Ramos and others in the form of cash and credit card payments. CHS-1 also reviewed fireworks sales invoices, sales receipts, and payment records from in or about May 2021 through June 28, 2021. In addition, CHS-1 identified himself and RAMOS in video footage of sales transactions inside Area-51 that were done at cash registers and outside of Area-51 in Nevada, namely loading docks and receiving areas where large vehicles, including eighteen wheelers and large U-Haul trucks, were loaded with fireworks that had been purchased inside. For example, CHS-1 identified his fireworks purchases at Area-51 Fireworks (Area-51) in Pahrump, Nevada. On July 20, 2021, I personally reviewed all of the video footage and physical sales receipts, invoices, and photographs of fireworks purchased in Nevada that were identified by CHS-1. On or about July 20, 2021, CHS-1 also indicated that specific calendar dates in April, May, and June of 2021, that he or RAMOS had traveled to Nevada, personally made those fireworks purchases in Nevada, and transported the fireworks from Pahrump, Nevada to Los Angeles in a U-Haul rental vehicle.

June 20, 2021 Fireworks Purchases in Pahrump, Nevada

10. During that same interview, DOT-OIG Special Agent

Brendan Culley showed CHS-1 surveillance video of CHS-1 and another individual purchasing fireworks on June 21, 2021 at Area-51, a wholesale fireworks dealer located in Pahrump, Nevada. CHS-1 identified the individual as "Erik" but indicated that he did not know "Erik's" last name. CHS-1 also stated that he had personally rented a U-Haul moving truck to transport the fireworks that he and Erik purchased in Nevada to Los Angeles, California. CHS-1 indicated that he had personally driven to the rental location in his own car from Los Angeles and that he had rented the U-Haul truck in Las Vegas, Nevada. CHS-1 also stated that he did not inform the U-Haul representatives in Nevada that he intended to use the rental truck to transport fireworks to Los Angeles, California. CHS-1 indicated that neither he or "Erik" ever placed a hazardous materials placard on the U-Haul trucks that he rented to transport the large quantities of fireworks that they had purchased in Pahrump, Nevada and transported to Los Angeles, California. CHS-1 also stated that neither he or Erik possessed a validly issued Commercial Driver's License (CDL) with a hazardous materials (aka hazmat) endorsement.

June 21, 2021 - Area-51 and Blackjack Fireworks Purchases

11. During that same interview, SA Culley showed CHS-1 a sales invoice from Area-51 that was dated June 21, 2021. The invoice was for purchases made under the customer name "Autron."

CHS-1 reviewed the sales invoice and stated that he recognized the types of fireworks listed on the sales receipt and invoices. CHS-1 stated that he had paid cash for the fireworks that both he and "Erik" purchased from Area-51 on that date, namely June 21, 2021. CHS-1 stated that he and "Erik" had coordinated the trip and the U-Haul rental, that they communicated via cell phones, and that they purchased the fireworks with the intent to return to Los Angeles together in the same U-Haul truck. CHS-1 indicated that he and Erik later transported the fireworks purchased in Nevada to Los Angeles, California and ultimately stored the fireworks at CHS-1's residence in Los Angeles.

12. According to CHS-1, he and "Erik" had an informal financial arrangement and they would split the profits when they sold the fireworks purchased in Nevada to their customers in the Los Angeles area. On the same date as the CHS-1 interview, I personally reviewed the sales invoices and purchase records for both CHS-1 and "Erik" at the fireworks wholesalers in Pahrump, Nevada where CHS-1 indicated that they had purchased fireworks and utilized the customer name "Autron."

14. On July 20, 2021, SA Culley next showed CHS-1 two invoices obtained from Area-51 that were dated May 2, 2021. CHS-1 said he did not recognize these purchases. CHS-1 stated that he did not personally make those fireworks purchases or sales transactions but indicated that anyone who was familiar

with the customer account could have used the name, "Autron." CHS-1 said it could have been "Erik" or another associate, "Tito," making a purchase on the account without him knowing. CHS-1 had previously indicated that he had an informal arrangement with "Erik." After CHS-1 reviewed the May 2, 2021 transactions for fireworks purchases in Pahrump, Nevada under the customer name Autron, he indicated that Tito was more of a friend tagging along with "Erik."

June 10, 2021 - Area-51 and Blackjack Fireworks Purchase

15. During the July 20, 2021 interview, SA Culley showed CHS-1 an invoice from Blackjack Fireworks, located in Nevada, dated June 10, 2021. CHS-1 said he made this trip with "Erik." CHS-1 indicated that they coordinated their travel plans, communicated by cell phone, and both contributed financially to the trip and the purchase of the fireworks. CHS-1 explained that they ultimately split the form of payments that they made for their fireworks purchases between them by using cash and debit card payments to cover the costs. During that same interview, SA Culley also showed CHS-1 an invoice he obtained from Area-51 that was dated June 10, 2021. The fireworks purchased on the sales invoice were made under the customer name of "Autron" and the purchases were made with a debit card. CHS-1 stated he was probably with "Erik" when he made this trip.

16. CHS-1 said he would store fireworks and explosives at

his residence in South Los Angeles that he and "Erik" purchased on trips together or on separate trips to Nevada or other states outside of California. CHS-1 indicated that he agreed to store them there if "Erik" or "Tito" or other associates of "Erik" could not fit them at their homes.

ERIK RAMOS CALLS, TEXTS, AND FINANCIAL LINKS TO CHS-1

17. On July 3, 2021, SA Culley reviewed AT&T Mobility, for toll records pertaining to phone number (XXX) XXX-2355, belonging to CHS-1, for any and all bills or invoices covering the time period of January 1, 2021 through July 3, 2021. The toll records indicated that there were over 300 calls and texts between CHS-1 and phone number, (323) 347-8862, between March 2, 2021 and July 3, 2021. SA Culley later verified that the phone number, (323) 347-8862, was associated with Erik Armando RAMOS ("RAMOS"), with the date of birth of x/x/1990 and social security number with last four digits 5372 through a search of TransUnion's TLOxp database. On October 20, 2021, I personally reviewed those tolls records and observed calls on the various dates of travel to Pahrump, Nevada and purchases of fireworks and explosives.

18. On September 14, 2021, I reviewed the Wells Fargo bank financial records associated with Erik Armando RAMOS ("RAMOS") with the date of birth of x/x/1990 and social security number with the last four digits 5372, from January 1, 2018 to August

17, 2021. The records from Wells Fargo were reviewed by ATF Forensic Auditor (FA) Rose Ena Cantu for analysis. I reviewed the analysis summary by FA Cantu and saw that "RAMOS" was employed at "Autotron Automotive." The business name of RAMOS' employer was similar to the customer name of "Autron" indicated on the sales invoices and receipts from Area-51 and Blackjack for the CHS-1 and "Erik" firework purchases in Nevada.

CHS-1 ADMITTED TO WORKING WITH RAMOS

20. On September 17, 2021, CHS-1 participated in a second interview and identified RAMOS in a photo array consisting of six (6) photographs of similar individuals presented by SA Culley. The array consisted of photos drawn from the California driver's license database operated by the California Department of Motor Vehicles and included a photo of RAMOS. CHS-1 recognized and identified "RAMOS'" photograph as his associate, ERIK RAMOS. CHS-1 stated he worked with "RAMOS" on multiple occasions to purchase, load, and transport fireworks into California for resale.

21. According to CHS-1, the arrangement was beneficial because they could purchase greater quantities of fireworks with each trip to Nevada since there is a quantity limit for each individual purchase. The cost sharing arrangements and travel coordination included the alternation of cost coverage for U-Haul rental or fireworks purchases. For example, CHS-1 rented a

U-Haul truck to transport fireworks on June 9, 2021 for \$313.74 which was paid with CHS-1's credit card. RAMOS paid an invoice dated June 10, 2021 for a total purchase amount of \$15,474.25 to Blackjack Fireworks from his Wells Fargo Bank funds of \$3,474.25 and RAMOS paid the remaining \$12,000 in cash. RAMOS also paid an invoice dated June 10, 2021 for \$1,588.30 to Area-51 Fireworks from his Wells Fargo Bank funds. A U-Haul invoice dated June 21, 2021 for \$330.37 indicated that it was paid by CHS-1. An additional U-Haul invoice dated June 21, 2021 for \$444.37 showed it was paid for in cash. An invoice dated June 21, 2021 for \$13,473.70 to Area-51 Fireworks was paid in cash. In that second interview on September 17, 2021, CHS-1 also confirmed the purchases on sales invoices and identified photographs of fireworks, including but not limited to 1.4 hazard class and 1.3 aerial display pyrotechnic explosives, seized from his home on July 30, 2021, that were listed on the sales invoices.

22. According to CHS-1, he worked with RAMOS on multiple occasions to purchase, to load, and to transport fireworks from Nevada into California in a large U-Haul rental truck without a placard and or a federal explosives license. CHS-1 indicated that they ultimately sold the fireworks to their customers in California. CHS-1 noted that they (he and RAMOS) did not always drive up to Pahrump, Nevada, together, but they would coordinate

the trip via their cell phones and plan their arrival in Nevada. They would later meet up at the fireworks wholesalers--Area-51 and Blackjack.

23. During the July 20, 2021 interview, CHS-1 indicated that he and RAMOS usually drove together on the return trip from Nevada to Los Angeles. They would take turns driving and the person who wasn't driving the U-Haul would drive CHS-1's personal vehicle. CHS-1 indicated that they usually rented the U-Haul for a one-way trip and returned it to the U-Haul shop at Western and Vermont in Los Angeles, CA, after off-loading the fireworks at CHS-1's home.

24. I personally reviewed the U-Haul invoices dated April 27, 2021, May 4, 2021, May 18, 2021, June 9, 2021 and June 21, 2021 and confirmed that CHS-1 had rented and/or returned vehicles to U-Haul locations in Los Angeles at Western and Vermont, 1100 Martin Luther King, Jr. Boulevard, and 2325 S. Main Street. The U-Haul invoices showed the following one-way rentals from Las Vegas, Nevada to Los Angeles, California:

- On April 27, 2021, CHS-1 picked up a rental truck from a U-Haul facility at 2002 W. Bonanza Road, Las Vegas, Nevada 89106 and returned on April 28, 2021 to a U-Haul at 2325 S. Main Street, Los Angeles, California 90007.
- On May 4, 2021, CHS-1 picked up a rental truck from a U-Haul facility at 2030 E. Fremont Street, Las Vegas, Nevada

89101 and returned it on May 6, 2021 to a U-Haul at 2325 S. Main Street, Los Angeles, California 90007.

- On May 18, 2021, CHS-1 picked up a rental truck from a U-Haul at 2002 W. Bonanza Road, Las Vegas, Nevada 89106 and returned it on May 19, 2021 to a U-Haul location at 2325 S. Main Street, Los Angeles, California 90007.
- On June 9, 2021, CHS-1 picked up a rental truck from a U-Haul facility at 1900 S. Decatur Boulevard, Las Vegas, Nevada 89102 and returned it on June 10, 2021 to a U-Haul location at 1100 Martin Luther King, Jr. Boulevard, Los Angeles, California 90037.
- On June 21, 2021, CHS-1 picked up a rental truck from a U-Haul at 2001 W. Bonanza Road, Las Vegas, Nevada 89106 and returned it on June 24, 2021 to a U-Haul location at 2325 S. Main Street, Los Angeles, California 90007. Arturo CHS-1 Sr (CHS-1's father) was listed as an additional person in the invoice.
- On June 21, 2021, CHS-1 picked up a rental truck from a U-Haul facility at 2001 Bonanza Road, Las Vegas, Nevada 89106 and returned it on June 23, 2021 to a U-Haul location at 4167 S. Western Avenue, Los Angeles, California 90062.

25. During the interview on July 20, 2021, CHS-1 indicated the following: CHS-1 stated that his home in South Los Angeles

was the storage location for all of the fireworks that both he and RAMOS purchased in Nevada and elsewhere. On occasion, RAMOS would take some fireworks and explosives (homemade explosives and 1.3 aerial display pyrotechnic explosives) to sell on his own. Irrespective of where RAMOS engaged in sales and dealing in explosives, RAMOS would always use CHS-1's home as the fireworks and explosives storage location. RAMOS and CHS-1 used a very informal accounting system, going by memory as to which of them purchased which fireworks, and CHS-1 kept a record of profits from sales in a notebook.

26. On July 4, 2021, a search warrant was served at CHS-1's residence located in Los Angeles, California. Items were recovered at the residence including a green notebook containing a list of fireworks CHS-1 purchased and the amounts he had paid. CHS-1 indicated that he typically sold the fireworks to his customers at a mark-up price to make a profit.

27. During the July 20, 2021 interview, CHS-1 also stated that RAMOS made purchases in other states outside of Nevada and California. In a second interview on September 17, 2021, CHS-1 reviewed photographs from his inventory of 1.3 aerial display fireworks, also known as pyrotechnic explosives, and stated that he recognized that some of products (brand name fireworks) in his inventory were not purchased from the Nevada Wholesalers (such as Area-51 and Blackjack Fireworks), so he assumed RAMOS

had purchased those fireworks and 1.3 aerial display fireworks, also known as pyrotechnic explosives, were purchased by RAMOS in other states and brought them to CHS-1's residence to store and sell.

28. On October 29, 2021, FA Cantu conducted a financial analysis of sales invoices and financial records for RAMOS and CHS-1 and FA Cantu identified a charge by U-Haul, Las Vegas, NV, for \$344.37 to RAMOS' account on June 11, 2021. According to CHS-1, RAMOS accompanied him to purchase fireworks at Area-51 in Pahrump, Nevada to transport the fireworks by U-Haul back to Los Angeles on June 10, 2021.

29. On that same date, FA Cantu identified multiple payments from RAMOS' Wells Fargo personal and business accounts to fireworks suppliers, including: payments to Matrix Fireworks (North Dakota), totaling 57,069.21; payments to Area 51 Fireworks (Nevada) for \$1,588.30, \$279.95 and \$4,699.75 and Blackjack Fireworks for \$3,474.25 (Nevada); and payments to Sky's the Limit (North Dakota), for \$5,955.00 and \$10,000.00 and Bada Boom Fireworks (Pennsylvania) for \$7,857.21 and \$20,000.00. Additionally, FA Cantu identified two payments totaling \$14,000.00 to Pete Moss, identified as the owner of Matrix Fireworks; and payments to Dale McDaniel, identified as the owner of SizzBoom Fireworks (Kansas), for \$10,000.00 and \$27,550.00.

30. On October 29, 2021, I reviewed those payment invoices and observed that were consistent with the statement made by CHS-1 in his second interview on September 17, 2021 that RAMOS was purchasing fireworks (both 1.4 hazard class and 1.3 aerial display pyrotechnic explosives) from outside the state of California, as well as homemade explosives CHS-1 had obtained in the Los Angeles area and others that RAMOS obtained various locations, and transporting them to CHS-1's residence to be stored and ultimately to be sold to customers in Los Angeles and elsewhere.

31. CHS-1 also stated that RAMOS made purchases in other states (besides Nevada) and transported those fireworks into California in trucks and had them offloaded at CHS-1's home for storage even when CHS-1 did not know about the trip. RAMOS would sometimes communicate via cell phone with CHS-1 in advance that a truck or delivery was arriving at his home and would sometimes ask for help from CHS-1 because RAMOS needed help offloading the fireworks from the U-Haul truck. On other delivery dates to CHS-1's residence, sometimes RAMOS would not ask CHS-1 for assistance because he would have a person assist with the offload of fireworks.

32. During the September 17, 2021, SA Culley showed CHS-1 a video of him and an individual engaged in the purchase of fireworks at Area-51 on June 21, 2021. CHS-1 said he rented the

U-Hauls that he and RAMOS used to transport fireworks on June 10, 2021 and June 21, 2021. SA Culley showed CHS-1 an invoice from U-Haul from the rental on June 10, 2021. CHS-1 verified that he had personally rented the U-Haul on that date and used the credit card ending in x6962 identified on the invoice to make the purchase. However, CHS-1 was not familiar with a U-Haul transaction made by RAMOS which posted for payment on June 11, 2021, which was reflected in RAMOS' Wells Fargo account. CHS-1 did not know if RAMOS made an additional trip to purchase fireworks the next day and did not recall if RAMOS came to his home to drop off more fireworks. SA Culley showed CHS-1 a video of CHS-1 and an individual engaged in the purchase of fireworks at Area-51 on June 28, 2021. CHS-1 stated that on this date, CHS-1 was accompanied by an individual he only knew as "TITO." According to CHS-1, RAMOS could not go with him to make the purchases in Pahrump, Nevada, on that date, so TITO--a friend of RAMOS'--went with CHS-1 instead. CHS-1 said he was not sure what the relationship was between RAMOS and TITO. CHS-1 said he made all of the purchases reflected in the Area-51 invoices on that date. CHS-1 also verified the photographs of the certain firework brands that were seized from his home, which were at his residence and also appeared on the sales invoices from that date. However, he did not rent the U-Haul for that June 28, 2021 trip, so he thought it must have been "TITO or someone" who did.

On November 9, 2022, I reviewed the RAMOS' bank statement ending is 4612 and learned that there was a charge for \$517.49 for the rental of a U-Haul on June 28, 2021. CHS-1 said when TITO has been with them on trips to purchase fireworks, RAMOS has paid for the fireworks purchases.

33. During the September 17, 2021 interview, SA Culley showed CHS-1 a transaction from RAMOS' bank account in Pahrump, Nevada, on May 5, 2021 and additional records showing CHS-1 made a U-Haul rental payment on May 4, 2021. CHS-1 previously said he did not make a trip to Pahrump on that date because he was celebrating his mother's birthday. He suggested it was possible he did go on that trip, but also suggested it may have been a payment to hold the rental truck, which was later canceled because he did not make the trip. CHS-1 did not clearly recall specifically going to Pahrump on that date, but said it was possible he and RAMOS went. CHS-1 said he and RAMOS paid each other in cash when they made sales to reimburse each other. They did not use electronic payments to reimburse each other.

35. CHS-1 consented to search of his mobile phone on September 17, 2021. On October 5, 2021, I picked up an iPhone, model: 12 Pro Max, Serial: G0NDTJYB0D43 belonging to CHS-1 from his defense attorney's office in Los Angeles, California. The data on the phone was downloaded by ATF SA Nicole Lozano, a digital media collection specialist. On January 27, 2022, I

reviewed the data obtained from CHS-1's phone and saw multiple photographs containing images of fireworks.

Licensing and Permit Check for Explosives - ATF

37. On October 14, 2021, ATF Industry Operations Investigator Roberto Sanchez performed a Federal Explosives Licensee records search with the name "Erik Armando RAMOS" and social security number of xxx-xx-5372 and determined that he never possessed a Federal Explosives License and neither did CHS-1. No records were found with that name and social security number. On the same date, I reviewed that information and verified my understanding that RAMOS did not possess an ATF permit or license to transport explosives.

38. On November 18, 2021, SA Culley reviewed sales invoices from fireworks wholesalers outside the state of California and Nevada and identified transactions for purchases in RAMOS' Wells Fargo bank account records: BadaBoom Fireworks (Pennsylvania), SizzBoom Fireworks (Kansas), and Sky's the Limit/Starr (North Dakota). On January 31, 2022 and February 15, 2022, I reviewed those records and learned the following:

- RAMOS conducted eight fireworks purchases from BadaBoom (Pennsylvania) between May 25, 2020 and November 17, 2020, totaling \$117,743.84. RAMOS conducted payments for the purchases through PayPal.

- In 2021, RAMOS made four fireworks purchases from Bada Boom (Pennsylvania) between March 8, 2021 and June 24, 2021, totaling \$105,294.87. RAMOS coordinated payments for the purchases through PayPal.
- RAMOS made two purchases from SizzBoom (Kansas) that both shipped in June 2020: the first purchase was paid via wire transfer from RAMOS in the amount of \$27,500 for 187 boxes of fireworks; the second purchase was for 1292.50 pounds of 1.4G fireworks contained in 140 cases.
- RAMOS made four purchases from Starr Fireworks (North Dakota) as follows: on June 12, 2020, 131 cases of fireworks that weighed 5544.7 pounds purchased via wire transfer for \$16,654.40 on June 22, 2020; on June 22, 2020, 148 cases of fireworks that weighed 6451.1 pounds purchased via wire transfer for \$17,780.33 on July 15, 2020; on June 22, 2020, 79 cases that weighed 1291.9 pounds purchased via wire transfer for \$2719.67 on July 15, 2020 and on December 7, 2020, 224 cases that weighed 8137.1 pounds purchased via check for \$25,892.76 on July 22, 2021.

39. On November 18, 2021, SA Culley obtained U-Haul for records pertaining to reservations by ERIK RAMOS with California Driver's License xxxx9981 from January 1, 2020. Based on records provided by U-Haul, RAMOS made 13 reservations for U-Haul moving

trucks during the requested period.

40. On October 20, 2022, I conducted surveillance and observed RAMOS drive his white Toyota Tacoma and parked it at 1251 E. 91st.

Conclusion:

For all the reasons described above, there is probable cause to believe that RAMOS violated Title 18, United States Code, Section 842(a)(3)(A) (transporting explosives without a license or permit) on June 21, 2021.

/ S /

Sam Chung, Special Agent
ATF

Subscribed to and sworn before me
this ____ day of November 10,
2022.



THE HONORABLE ALEXANDER F. MACKINNON
UNITED STATES MAGISTRATE JUDGE